



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/652,649	08/28/2003	Joseph Tawil	014594-003010US	1915

20350 7590 03/08/2005

TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

LEE, Y MY QUACH

ART UNIT PAPER NUMBER

2875

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/652,649

Applicant(s)

TAWIL ET AL.

Examiner

Y Quach Lee

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/6/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2875

DETAILED ACTION

Drawings

1. The drawing figures 1 and 2 are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “100” has been used to designate both “an ellipsoidal stage lamp” as shown in drawing figure 1 and “a wire” as shown in drawing figure 2.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawing figures 4 and 5 are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the reference character (404) not mentioned in the description.

Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the feature of “a ventilation aperture in the side walls of the cabinet permits cooling of the movable projecting plane” as claimed in claim 3 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted

Art Unit: 2875

by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities: Page 6, line 11, the reference numeral “280” is incorrect and should be changed to --200-- in view of “the cabinet 200” on lines 2 and 7 of the same page and drawing figures 2 to 4. Appropriate correction is required.

5. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. For instance, there is no clear antecedent support for “a ventilation aperture in the side walls of the cabinet permits cooling of the movable projecting plane” in the specification as originally filed. Correction is required. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

Claim Objections

6. Claims 1 to 9 are objected to because of the following informalities: In claim 1, line 17, the term “a drawer” should be changed to --at least one draw-- and on line 18, the term “at least one draw” should be changed to --the at least one draw-- to clearly describe the claimed invention. In claim 2, line 3, “a movable projector plane” is inaccurate and should be changed to --the movable projector plane-- (note a movable projector plane was first introduced on line 21 of claim 1); and line 5, there is no clear antecedent basis for “the openings of the cabinet” and it would appear that it should be changed to --the first opening of the cabinet-- (note line 14 of claim 1. In claim 4, the term “bayonet opening” is improper and should be changed to --fitting-- in view of “a bayonet fitting 111” on line 27 of page 5 and drawing figure 3. Claims 3, 5, 6, 8 and 9 depend on objected claim 1 and as such are also objected. In claim 7, line 2, there is no clear antecedent basis for “the optical axis” and it should be changed to --an optical axis--; line 19, the term “a drawer” should be changed to --the drawer-- in view of “a drawer” was first introduced on line 15; and line 19, the term “registrable” is not proper and should be corrected. Appropriate correction is required.

7. Claims 1 to 9 would be allowable if rewritten or amended to overcome the objection set forth in this Office action.

Art Unit: 2875

8. Claim 1 contains allowable subject matter because the prior art does not suggest a cabinet for disposition within the ellipsoidal stage lamp to replace the shutter section of the stage lamp and defining a first opening disposed along and around the optical axis of the stage lamp and open to the base and lamp having a filament, the cabinet having at least one open side for permitting the sliding insertion of a drawer having a second opening disposed along and around the optical axis and open to the base and lamp with a movable projector plane mounted to the drawer across the second opening for insertion to the cabinet at the open side so that the movable projector plane can be projected by the stage lamp from the second opening in combination with other features as claimed in claim 1. Claims 2 to 6, 8 and 9 further limit claim 1. Claim 7 contains allowable subject matter because the prior art does not suggest a process of removing the shutter section from the ellipsoidal stage lamp and attaching the cabinet, having a first opening disposed along and around the optical axis of the stage lamp, between the base and barrel, and inserting the drawer, having a movable projector plane mounted thereto, in the cabinet with the drawer having a second opening register along and around the optical axis in combination with the other features as claimed in claim 7.

9. This application is in condition for allowance except for the above formal matters.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wick, Morgan, Henry et al. and Hooper are cited to show other pertinent projectors for projecting different images from projector planes or gobo members mounted on holders or frames inserting into the slots of the luminaries or projector lamps.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y Quach Lee whose telephone number is 571-272-2373. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding

Art Unit: 2875

should be directed to the Customer Service whose telephone number is 571-272-2815.

Y. Q.
March 1, 2005



Y Quach Lee
Patent Examiner
Art Unit 2875